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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
JOSHUA JOHN COVELLI,)
)
)
Defendant.)
)
)
)

No. CR 11-00683 DLJ

**STIPULATION AND []
ORDER EXCLUDING TIME FROM
AUGUST 29, 2013 THROUGH
SEPTEMBER 26, 2013 FROM
CALCULATIONS UNDER THE
SPEEDY TRIAL ACT (18 U.S.C. § 3161)**

The parties hereby request that the Court enter this order set a further status conference in this matter for August 29, 2013, and excluding time from August 29, 2013 through September 26, 2013. The parties, including the defendants, stipulate as follows:.

The parties request that the Court enter this order documenting the exclusion of time from calculations under the Speedy Trial Act, 18 U.S.C. § 3161, from August 29, 2013 through September 26, 2013. The parties, including the defendant, stipulate as follows:

1. The defendant understands and agrees to the exclusion of time from calculations under the Speedy Trial Act, 18 U.S.C. § 3161, from August 29, 2013 through September 26,

2013, based upon the need for the defense counsel to investigate the facts of the present case. The government has provided discovery to defendant and defense counsel, who need time to review the discovery and evaluate what possible defenses and motions may be available to the defendant. The government and defense are also discussing a proposed plea agreement that would resolve the above-captioned case and the case of United States v. Collins, et. al., No. CR 11-00471 DLJ.

2. The attorney for defendant joins in the request to exclude time under the Speedy Trial Act, 18 U.S.C. § 3161, for the above reasons, and believes the exclusion of time is necessary for effective preparation of the defense; believes the exclusion is in the defendant's best interests; and further agrees that the exclusion under the Speedy Trial Act, 18 U.S.C. § 3161, should be from August 29, 2013 through September 26, 2013.

Given these circumstances, the parties believe, and request that the Court find, that the ends of justice are served by excluding from calculations the period from August 29, 2013 through September 26, 2013, outweigh the best interests of the public and the defendant in a speedy trial under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

IT IS SO STIPULATED.

DATED:

THOMAS NOLAN

DATED:

MATTHEW A. PARRELLA
HANLEY CHEW
Assistant United States Attorneys

[] ORDER

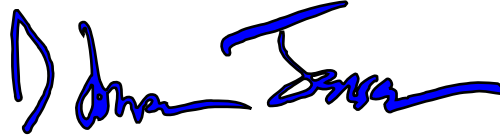
Having considered the stipulation of the parties, the Court finds that: (1) the defendant understands and agrees to the exclusion of time from calculations under the Speedy Trial Act, 18 U.S.C. § 3161, from August 29, 2013 through September 26, 2013 based upon the need for the defense counsel to investigate further the facts of the present case, review the discovery that the government has already provided and evaluate further possible defenses and motions available to the defendant; (2) the exclusion of time is necessary for effective preparation of the defense and

1 is in the defendant's best interests; and (3) the ends of justice are served by excluding from
2 calculations the period from August 29, 2013 through September 26, 2013.

3 Accordingly, the Court further orders that the time from August 29, 2013 through
4 September 26, 2013 is excluded from time calculations under the Speedy Trial Act, 18 U.S.C. §
5 3161.

6
7 IT IS SO ORDERED.

8 DATED: 10/28/13



THE HONORABLE D. LOWELL JENSEN
UNITED STATES DISTRICT COURT JUDGE